



BENNETT, NGUYEN & ASSOCIATES

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May 28, 2010

Judge David Hittner
United States District Court
Southern District of Texas
Courtroom No. 8A, 8th Floor
United States Courthouse
515 Rusk Avenue, Room 8509
Houston, Texas 77002
HAND DELIVERED

Re.: Notice of Affidavits - *United States of America vs. Robert Allen Stanford, Laura Pendergest-Holt, Gilberto Lopez, Mark Kuhrt and Leroy King*. CR. NO. H-09-342 EX
PARTE UNDER SEAL

Judge Hittner,

On May 28, 2010 we will be assembling three affidavits in support of our responses to Michael Essmyer's Ex Parte Motion For Counsel Determination Hearing and Alternatively Motion to Withdraw and his Supplement to Motion For Counsel Determination Hearing and Alternatively Motion to Withdraw. These are the affidavits of Ashley Tse, Tom Berg, and Dr. Nhan Nguyen, which focus on the allegations concerning insurance fraud. Contained in these sealed documents is information which is protected by the Attorney Client Privilege in effect between Mr. Stanford and his counsel. These documents are subject to your orders regarding whether our claim to Attorney Client Privilege should be revealed to you, the Chief Judge, or whether further information should be provided.

The Client has already terminated the services of Mr. Essmyer as of May 12, as evidenced in the privileged material we provided to you in our responses. However, the Client is concerned since Mr. Essmyer has breached the attorney client communication privilege with him in the past. As a result, the Client and I are deeply concerned with making the information sealed inside these motions available to Mr. Essmyer.

If the Court orders, we will provide these Responses and documents without the seal. If the seal can be retained however, we believe it would be the best course of action. We await further directions from the court as to the best course of action given my instructions from my Client and my obligations as an officer of the court. My Client has approved the sending of this letter.



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Very Truly Yours,

Robert S. Bennett,
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